

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JACKELINE BARBOSA, MARK ANDERSON,)
and DOUGLASS BAKER, individually and on)
behalf of others similarly situated,)

Plaintiffs,)

v.)

CIVIL ACTION
NO. 18-11997-NMG

MIDLAND CREDIT MANAGEMENT, INC.,)
SCHREIBER/COHEN, LLC, and LUSTIG)
GLASER & WILSON P.C.,)

Defendants.)

**REPORT AND RECOMMENDATION ON DEFENDANTS'
MOTIONS TO DISMISS AND/OR COMPEL ARBITRATION**

July 3, 2019

DEIN, U.S.M.J.

I. INTRODUCTION

This is a putative class action suit pertaining to debt collection litigation pursued in state court. The named plaintiffs allegedly incurred credit card debt on accounts held with Barclays Bank Delaware ("Barclays"). Midland Funding LLC ("Midland Funding") later acquired the plaintiffs' accounts from Barclays, for whom defendant Midland Credit Management ("MCM") is a servicer and agent. The plaintiffs were subsequently sued by Midland Funding, allegedly at the direction of MCM, to collect outstanding credit card debt. Defendants Schreiber/Cohen, LLC ("Schreiber") and Lustig Glaser & Wilson P.C. ("Lustig") (collectively, "lawyer defendants"), are law firms that were retained by Midland Funding to sue the plaintiffs for the outstanding debts.

*After consideration of plaintiffs' objections thereto (Docket No. 58),
Report and Recommendation is accepted and adopted.
S/M Gorton, USDJ 8/9/19*